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Security Council

Seventieth year

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Wednesday, 29 July 2015, 10.15 a.m.
New York

President: Mr. McCully (New Zealand)

Members:

Angola	Mr. Gimolieca
Chad	Mr. Cherif
Chile	Mr. Olguín Cigarroa
China	Mr. Liu Jieyi
France	Mr. Bertoux
Jordan	Mrs. Kavar
Lithuania	Mr. Baublys
Malaysia	Mr. Ibrahim
Nigeria	Mrs. Ogwu
Russian Federation	Mr. Churkin
Spain	Mr. González de Linares Palou
United Kingdom of Great Britain and Northern Ireland ..	Mr. Rycroft
United States of America	Ms. Power
Venezuela (Bolivarian Republic of)	Mr. Ramírez Carreño

Agenda

The situation in the Middle East

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The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

The President: In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Staffan de Mistura, Special Envoy of the Secretary-General for Syria, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to warmly welcome the Secretary-General, His Excellency Mr. Ban Ki-moon, and I now give him the floor.

The Secretary-General: Mr. President, I warmly welcome your leadership in presiding over today's meeting.

After more than four years of slaughter, the Syrian conflict has become a shameful symbol of the international community's divisions and failure. I am profoundly disappointed that none of the Council's resolutions on Syria — whether aimed at ending the violence, easing humanitarian suffering or combating terrorism and foreign fighters — has been implemented.

Syria is the world's largest humanitarian crisis, as the Council heard yesterday in harrowing detail from the Under-Secretary-General for Humanitarian Affairs (see S/PV.7493). At least a quarter of a million Syrians have been killed. Almost half of the country's population — 12 million men, women and children — have been forced to flee their homes. Thanks to a massive cross-border exodus, Turkey, Lebanon, Jordan and Iraq are hosting an ever-growing number of refugees, and increasing numbers of Syrians are making desperate journeys across the Mediterranean in so-called death boats.

Atrocious crimes are now almost an hourly occurrence, fed by a lack of accountability for the major human rights violations committed over the past four years and through decades of repression. The Syrian people have been exposed to chemical weapons that should have been things of the past, and to new, indiscriminate killing devices such as barrel bombs and hell cannons. The conflict has given rise to terrorist groups such as Daesh and the Al-Nusra Front, and it has

fuelled sectarianism and radicalization throughout and beyond the region. Funding for humanitarian activities continues to be outpaced by the gargantuan and ever-growing scale of people's needs. The situation is a clear threat to international peace and security that should compel us all to consider what more we can do to end the carnage and uphold our responsibilities.

It was in that context that, on 28 March, I instructed my Special Envoy for Syria, Mr. Staffan de Mistura, to intensify the efforts of the United Nations to find a political settlement to the conflict. Specifically, I asked him to work to operationalize the Geneva communiqué (S/2012/522, annex). The Security Council unanimously endorsed the Geneva communiqué in its resolution 2118 (2013). The document contains principles and guidelines for ending the violence and launching a Syrian-led political process leading to a transition that meets the legitimate aspirations of the Syrian people. The communiqué remains the only internationally agreed basis for a political settlement to the Syrian conflict, and it is the foundation for recent initiatives such as the Cairo and Moscow processes.

Mr. de Mistura will brief the Council today on his consultations. I would like to highlight four key points. First, his description of the state of the Syrian crisis synthesizes what we have heard from an inclusive and representative group of Syrian and non-Syrian stakeholders.

Secondly, amid gaping fault lines, there are points of consensus on which a credible political process could be constructed. Syrians and external actors alike share a sense of concern regarding the threshold that the conflict has now reached. No one wants to risk the chaos of an uncontrolled transition in Damascus. All reject the possibility of a future Syria divided along sectarian lines. Many of the Syrians we spoke to warned that the country is entering a cycle of fragmentation and radicalization that will be hard to get out of. Our Syrian interlocutors also lamented that their country is caught in a regional proxy war that is beyond the Syrians' ability to resolve by themselves. Almost all pointed to the urgent need for the international community to act now if we want to save and preserve what is left of Syria. As the situation deteriorates, the Syrians predict that the prospects for achieving a political solution will also recede.

Thirdly, the Syrians with whom we spoke share many of the same aspirations. They want to protect

the country's sovereignty, territorial integrity and independence, and to determine their own future free from external intervention. They consider it impossible to return to the past. They reject violent extremism and terrorism, and support a non-sectarian, multi-confessional and inclusive society. And they yearn to build a genuinely democratic Syria based on human rights and the rule of law.

Fourthly and finally, the consultations made it clear that the major stumbling block in the political process remains the issue of forming a transitional governing body with full executive powers that can create a suitable environment and safety for all during the transition.

Such a body is the top priority for the opposition, while the Syrian Government has told us that such an institution would be unconstitutional.

Although difficult, these are not insurmountable obstacles and differences. Mr. De Mistura will therefore present a proposal to launch a political process aimed at enabling Syrians to negotiate a framework agreement on how to implement all aspects of the Geneva communiqué. The main goal of these preparatory negotiations will be to reach an intra-Syrian agreement on the elements of the Geneva communiqué, including on the issue of the transitional governing body, as well as to effectively fight terrorism. I stand ready to convene a high-level international conference to endorse any recommendations or agreement that this Syrian-led political process may reach.

The status quo in Syria is unacceptable. Some argue that we must wait to end this nightmare until there is a more propitious alignment of regional and international circumstances. This would be both immoral and irresponsible. We must not condemn the Syrian people to even deeper despair. We must not condemn the region to unending turmoil. Today I ask the Security Council to endorse Mr. De Mistura's recommendations and work with the Syrian parties to convince them to participate constructively in this proposed process. Just as important, the Council has a responsibility to support the political process by acting to de-escalate the conflict. We must ensure that these preparatory negotiations are meaningful and not cynically exploited as a licence to continue the killing.

I urge the Security Council, Syria's neighbours and regional sponsors of the Syrian parties to stem all flows of arms and foreign fighters pouring into the country.

While ending the bloodshed remains primarily the responsibility of the Syrian parties, especially President Bashar Al-Assad, there is much that the region and the international community can do to starve the fire of its fuel. We must also build on the political momentum that has been generated by the nuclear agreement between Iran and the P5+1 countries. The unity that generated that agreement can help point the way towards conflict resolution in Syria and greater stability across the region.

For the moment, the greatest obstacle to ending the Syrian war is the notion that it can be won militarily. It is our failure to act with a unified voice that perpetuates this harmful illusion and allows the Syrian parties to think that there is some alternative other than coming to the negotiating table.

Today Mr. De Mistura and I will outline a way forward to reach the political solution that all claim to support. I urge the Council to give this proposal its full support. If it does not, the world expects this body to present a viable alternative.

The President: I thank the Secretary-General for his statement.

I now give the floor to Mr. De Mistura.

Mr. De Mistura: I wish to thank the Secretary-General for his strong and supportive introduction to this debate.

It is precisely the immensity of the human suffering as just described by the Secretary-General, and yesterday by our colleague Under-Secretary-General O'Brien, that commands us to seek out even the remotest possibility of a political solution, even if — and we heard it, sadly — the logic of assuming a military victory by anyone, which is impossible, continues, and barrel bombs and other indiscriminate weapons continue to kill Syrian civilians.

On 5 May, based on instructions from the Secretary-General, we unrolled the Geneva consultations. This is a new form of avoiding getting cornered into a conference which then gets us straitjacketed. It is a set of structured, separate discussions with Syrian and non-Syrian players aimed at stress-testing any willingness, if there is any, to narrow the gaps in the interpretation of the principles contained in the Geneva communiqué, which is still, let us be frank, the only internationally recognized framework for a settlement, even if it is still ambiguous in some parts.

To date, consultations with 216 individuals, Syrian and non-Syrian, in Geneva and in capitals, reveal a generally shared sense of urgency, given in particular the recent gains made by Daesh and the Al-Nusra Front and the talk of some de facto fragmentation, radicalization and sectarianism. There is thus a growing reference to the need for a managed, phased, gradual, controlled transition to avoid a repetition of what no one in the Council would like to see: the problems we have had in Libya and in Iraq.

Consultations, too, have reaffirmed that most Syrians and international actors agree on what Syria should look like in general and on the relevance of the principles and content of the Geneva communiqué. It was three years ago, but it is still valid. Syrians overall emphasize their own vision for a united, sovereign, independent — they are a very proud people — non-sectarian, multi-confessional, all-inclusive State with territorial integrity; and preserved but reformed State institutions, such as ministries — for as we saw in Iraq, that was the biggest problem we faced, when many institutions disappeared suddenly at the time of the change — including in the political, security and judiciary sectors, led by those who can inspire public confidence and trust.

Yet there is still disagreement — the Secretary-General said it very clearly — on how to get there, much of it based on different narratives; one is the root causes of the conflict and emerging priorities. The fear of black flags over Damascus is driving many to consider reassessing their own early positions. Yet many continue also to consider that the conflict needs to be about the Arab Spring calls for change. There is a firm recognition of the fact that counter-terrorism is now definitely a priority. However, many — both Syrians and Member States — are also considering that in order to assert that type of counter-terrorism, there is a need for a credible new Government with which they can partner in that effort.

While common ground exists, the question of the devolution of executive authority to a transitional body — let us be honest with ourselves — remains the most polarized element of the communiqué. For some, that means that the transitional governing body is an instrument to hand over power. Some political and armed opposition groups generally reject any notion of power-sharing with the current Government in Damascus. The Syrian Government has accepted, in theory, to discuss the transitional governing body at

the Geneva II conference, but continues to reject the concept as unconstitutional.

It is still broadly understood that, whatever the solution, it should ensure the meaningfulness and irreversibility of any transition, in a widely acceptable process, without causing an abrupt jolt, shock, trauma or catastrophe to the system in Syria. We cannot afford that. It should also include assurances for Syrian communities, the many minorities who have been threatened and the regional stakeholders. It should also have guarantees that the Syrian people, especially women, are included in the decision-making. In our Geneva consultations, we met remarkable Syrian women who have provided the most powerful concepts and analysis we have yet heard.

Sadly, there is still no consensus on the way forward on the communiqué or even a formalized negotiation. If there were, we would not be discussing it in the Council; we would be working on the negotiations. At the same time, given the deep and deepening tragedy, the United Nations and all of us are obliged to keep the issue alive and not leave any stone unturned. We must also be attuned to the ongoing serious conversations and discussions taking place — we are hearing them around the region and beyond — which may require more time and be linked to developments the Secretary-General just referred to. We have thus tried to develop recommendations guided by the views and analysis shared with us during the consultations. This is the first time, by the way, that the Syrian people have been given a chance, as they told us, to be deeply and intensely consulted. After all, we always ask: Is it Syrian-led and Syrian involved? Well, this was the opportunity. Our recommendations are predicated on the need for regional and international consensus and sustained engagement on the way forward.

In response to the Secretary-General's instructions that we should try to operationalize the Geneva communiqué, my team and I have consulted widely, inside and outside, to verify whether there exists a critical mass for common action. Ultimately, we have tried to visualize from a technical point of view the implementation of the Geneva communiqué in all its aspects, including a transitional governing body. We have come up with a detailed formula for the phased implementation of the Geneva communiqué, so that there will be no excuses when a political consensus is reached, including on a transitional governing body, which could assume the functions of a Government;

a definition of mutual consent noted in the Geneva communiqué; the functioning of a military council and a Syrian national congress for national dialogue in a constitutional form, combined with confidence-building measures.

Ours is a straightforward interpretation formula for the implementation of the communiqué. Regrettably, the consultations also confirmed that achieving an agreement on this will be difficult in the current Syrian context. In fact, many have also urged us not to convene a third Geneva conference because we are not yet there. But we cannot just let the situation in Syria continue to drift. That is why, based on the appeal and the urging of the Secretary-General, we need to move in a direction where Syrians come together to stop the violence and to set out on an irreversible path towards a genuine political transition.

That leads us to the main recommendations. The Geneva consultation got Syrians to again begin talking to each other — sometimes indirectly through us, but they did. What I am proposing today is actually a deepening — going much deeper into those issues in the Geneva communiqué that are not so controversial and analysing those that can be controversial.

I now intend to invite Syrians to parallel simultaneous thematic discussions through an intra-Syrian working group, addressing the key aspects of the Geneva communiqué as identified by them in the first phase of the consultations, which will involve ensuring safety and protection for all, ending sieges and figuring out how to do so, ensuring medical access and releasing detainees. The second phase will address political and constitutional issues, including the essential principles, the transitional governing body and elections. The third phase will concern military and security issues, including combating terrorism in an effective, inclusive way, ceasefires and integration. The fourth phase will involve public institutions, construction and development, which means that, as we said, we should try to avoid what happened in Iraq and elsewhere when institutions suddenly disappeared and the country got into major difficulties. Those institutions should continue to deliver public services under a top leadership acceptable to all and acting in

accordance with the principles of good governance and human rights.

We believe that the working groups will start generating movement towards a Syrian-owned framework document on the implementation of the Geneva communiqué, and those efforts can build on the very useful meetings that took place in Moscow, Cairo, Paris and even Astana recently, and many track-two initiatives. The effort should be led by a steering committee, and the framework document should also provide for a transitional governing body idea, a procedure for a national dialogue and so on. Such an international initiative will require the support of a contact group, and we will get to that at the right time. In all of these matters, I shall seek the Council's support, and, as the Secretary-General said, stand ready to regularly report to the Council and to the Secretary-General on the progress or challenges that we will definitely face.

The consultations have gone some way towards identifying existing common ground. They also still hold the promise that a set of formula negotiations could convene after preparing the ground, if there is political will. The Geneva consultations have been loud and clear on the profound risk of failing to act now, including the increasing risk of a multigenerational conflict that, with each passing month, reduces the prospects of ever restoring Syria as a unified State, let alone making it even harder to establish a political process.

In closing, let me again thank the Secretary-General for being with us today, showing a strong commitment to the issue before us, and I thank the Secretariat and the members of the Security Council for their continued support in our difficult uphill but needed mission. I am obviously ready to go into more detail in a separate meeting later.

The President: I thank Mr. De Mistura for his briefing.

I now invite Council members to informal consultations to continue discussions on the subject.

The meeting rose at 10.40 a.m.